

CITY OF RENTON

FIRE CIVIL SERVICE RULES AND REGULATIONS



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FIRE CIVIL SERVICE RULES

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CITY OF RENTON

FIRE CIVIL SERVICE RULES

RULE 1 - AUTHORITY AND PURPOSE

1.01 RULES PRESCRIBED

In accordance with the provisions of RCW 41.08 of the laws of the State of Washington, the Civil Service Commission of the City of Renton, a non-charter code city in said state, hereby adopts the following rules and regulations for carrying out the purposes of RCW 41.08, and City ordinance, and which shall have the force and effect of law.

1.02 PURPOSE

These Rules are prescribed for the purpose of carrying out the provisions of the law, assuring the continuance of the civil service system, promoting efficiency in the dispatch of public business, selecting and promoting employees on the basis of merit, and assuring fair and impartial treatment for all classified civil service employees.

1.03 EMPLOYMENT PRACTICES

No person in the classified civil service or seeking admission thereto shall be appointed, reduced, or removed, or any way favored or discriminated against in his employment or opportunity for employment because of his race, creed, age (except as indicated in Rule 7.01), color, religion, sex, marital status, or political opinions or affiliations, or because of physical or sensory disabilities as prescribed in RCW 49.60. Recruiting, hiring, and appointment practices shall be in accordance with the Affirmative Action Plan and Statement of the Commission and Fire Department.

1.04 SEVERABILITY

If any rule, section, paragraph, sentence, clause or phrase of these Rules is declared unconstitutional, illegal or void for any reason, such decision shall not affect the validity of the remaining portion of these Rules. The Commission hereby declares that it would have prescribed and adopted these Rules and each rule, section, paragraph, sentence, clause and phrase hereof irrespective of the fact that any one or more rules, sections, paragraphs, sentences, clauses or phrases be declared unconstitutional, illegal, or void.

RENTON FIRE CIVIL SERVICE RULES

RULE 2 - DEFINITIONS

Unless otherwise required by the context, words used in these Rules shall be understood to have the following special meanings:

- 2.01 ACTUAL SERVICE means time under civil service appointment engaged in the performance of the duties of a position or positions including absences with pay and successfully completed probationary time.
- 2.02 ALLOCATE means to locate or place a position in the appropriate class on the basis of similarity of duties and responsibilities or required qualifications.
- 2.03 APPLICANT means a person who has filed an application to take a civil service examination.
- 2.04 APPLICANTS FOR PROMOTION from within the Renton Fire Department shall be those individuals certified by the Chief (or designee) to the Chief Examiner as having the required minimum qualifications necessary to take a promotional examination.
- 2.05 APPOINTING AUTHORITY means the person, board or commission having authority to make appointments to and separations from a position.
- 2.06 APPOINTMENT - PROVISIONAL means the appointment of a person to a position in the absence of an appropriate eligibility list for the class.
- 2.07 APPOINTMENT - REGULAR means the tendering of an offer and acceptance of same by a person on an eligibility list, either on a regular or temporary basis.
- 2.08 BREAK IN SERVICE means any interruption in continuous service, except for absences on approved leave or absences to serve in the armed forces of the United States. Re-employment does not make the service continuous.
- 2.09 BUSINESS DAYS means calendar days exclusive of Saturdays, Sundays, and legal holidays.
- 2.10 CANDIDATE means a person who has completed a civil service examination or is in the process of doing so.
- 2.11 CERTIFY means that a person or name is verified to the appointing authority as being tested and found eligible for appointment.
- 2.12 CHAIRMAN means person of either sex and is synonymous with chairperson.
- 2.13 CLASS means a group of positions sufficiently similar in respect of duties and responsibilities so that the same title may be applied to each position, the same qualifications may be required and approximately the same salary range may be applied with equity.
- 2.14 CLASSIFIED CIVIL SERVICE means all offices and position in the service of the city under civil service.

- 2.15 COMMISSION means the Renton Civil Service Commission.
- 2.16 CONTINUOUS SERVICE means employment without interruption except for absences on approved leave or absences to serve in the armed forces of the United States.
- 2.17 CITY means the City of Renton.
- 2.18 DEMOTION means the reassignment of an employee from a higher to a lower class because of incapacity, nonfeasance, misfeasance or malfeasance of office.
- 2.19 DEPARTMENT means a major, functional unit of the government of the City of Renton.
- 2.20 DISCHARGE means separation from service for cause.
- 2.21 ELIGIBILITY LIST means a register or list of names of successful examinees for a given class from which certification may be made to fill vacancies in such class.
- 2.22 EXAMINATION means the process of testing the fitness and qualifications of applicants for positions in a specific class.
- 2.23 LAYOFF means separation from a regular position due to lack of funds, lack of work, or abolishment of the position.
- 2.24 OFFICIAL BULLETIN BOARD is the bulletin board in the Municipal Building upon which all official notices of the Commission shall be posted.
- 2.25 OPEN EXAMINATION means an examination open to the public and not limited to applicants from among regular employees in the Renton Fire Department.
- 2.26 POSITION means any group of duties and responsibilities in the classified civil service of the department requiring the full or part-time employment of one person.
- 2.27 PROBATION OR PROBATIONARY means the status of an employee during a trial period following an appointment. This trial period is a working test during which an employee is required to demonstrate by performance of the duties, fitness for the position to which the person has been certified and appointed.
- 2.28 PROBATIONER means an employee who has probationary status.
- 2.29 REDUCTION means the reassignment of an employee from a higher to a lower class in lieu of layoff or for other reasons not associated with demotion. Such reduction may be at the employee's request with the concurrence of the appointing authority and the Commission.
- 2.30 REGULAR means continuing for an indefinite period. In reference to employment status, it means the employee has successfully completed a probationary period for a specific class.
- 2.31 REINSTATEMENT means reappointment after a break in service due to layoff to a position in a class in which status was formerly held.
- 2.32 REINSTATEMENT REGISTER means a list of names of persons laid off from regular positions arranged in order of their right to reinstatement.

- 2.33 RULE OF THREE means the appointing authority/Chief has the option of selecting a candidate for promotion to fill a vacancy from the three names standing highest on an eligibility list for the classification.
- 2.34 RULE OF 5 means the appointing authority/Chief has the option of selecting a candidate at the entry level to fill a vacancy from the top 5 names on an eligibility list for Firefighter.
- 2.35 SENIORITY means the total amount of continuous service in a position or positions of a specific class. For purposes of layoff in a lower class, seniority in such class shall include any service in a higher class.
- 2.36 SEPARATION means leaving a position and includes resignation, discharge and layoff.
- 2.37 TEMPORARY means employment on a basis other than regular or probationary.
- 2.38 TRANSFER refers to the change of an employee from one position to a similar position in the same class within the department, without examination.
- 2.39 VETERANS' CREDIT means preference in examinations based on military service, as provided and defined by Laws of the State of Washington.

RULE 3 - ADMINISTRATION**3.01 ELECTION OF CHAIRMAN**

At the first regular meeting in January of each year, the Commission shall elect one of its members as chairman to serve for a term of one year or until his/her successor is duly elected and qualified.

3.02 DUTIES OF CHAIRMAN

The chairman shall preside at all meetings of the Commission and act as spokesperson for the Commission.

3.03 CHAIRMAN PRO TEM

The chairman shall designate one of the commissioners to act as chairman protem during the absence of the chairman. If no such designation has been made, the four Commissioners present shall agree who shall act as chairman pro tem.

3.04 SECRETARY-CHIEF EXAMINER

The secretary-chief examiner shall be appointed by the Commission as a result of a competitive examination, which examination may be open to all qualified citizens of the city or promotional and limited to persons already in the service of the city as the Commission may decide. The secretary-chief examiner shall carry out the following responsibilities in addition to acting as secretary of the Commission:

- a. Be the general manager of the Civil Service department responsible to the Commission.
- b. Keep the minutes and other records of the Commission and certify to the same when required.
- c. Administer and enforce the provisions of these Rules.
- d. Make recommendations to the Commission relative to matters of policy and for necessary amendments to these Rules.
- e. Report to the Commission from time to time as directed concerning the details of the work to be performed.
- f. Prepare the budget for the Commission, approve accounts, and generally administer the expenditure of funds appropriated for the operation of the Commission.
- g. Prepare for testing in an orderly fashion, including the following duties:
 1. Determine the examinations to be conducted.
 2. Order or prepare appropriate tests.
 3. Prepare and post bulletins announcing examinations.

4. Make arrangements for the examinations, making recommendations or select experts/special examiners to evaluate applicants for appointment.
 5. Delegate duties where necessary and supervise the work of all persons involved in processing paperwork and conducting examinations.
 6. Review all questions relating to the eligibility of applicants, except the minimum requirements for those who have served in the Renton Fire Department as certified by the chief (or designee).
 7. Grade, or have graded, all written examination papers and establish a list of successful candidates.
 8. Prepare a complete report of each examination for submittal to the Commission together with a report on all appeals from the secretary-chief examiner's rulings or appeals from any part of the examination.
- h. Certify in the name of the Commission payrolls or accounts in accordance with the state laws.
 - i. Perform all other functions necessary for the proper implementation of these Rules and the provisions of the state law and city laws and ordinances relating to Civil Service and such additional duties as may be assigned from time to time by the Commission.

3.05 SECRETARY PRO TEM

In the absence of the secretary-chief examiner, the Commission shall appoint a secretary pro tem to act as secretary to the Commission until the return of the secretary-chief examiner.

3.06 AMENDMENTS OF RULES

The Commission may amend these Rules or adopt new Rules by majority vote of the Commission at any regular or special meeting of the Commission. In all fairness to employees of the Fire Department under purview of these rules, amendments or changes to these rules will be discussed in an open regular or special meeting at least one meeting prior to adoption, whenever practical.

3.07 EFFECTIVE DATE OF RULES

All Rules and Amendments shall become effective immediately upon their adoption by the Commission unless some later date is specified therein.

3.08 COPIES OF RULES

A copy of these Rules and a copy of all subsequent Rules or Amendments shall be sent as soon as practicable after adoption to each affected department of the city. A copy shall be maintained in the office of the Commission for public inspection and copies shall be available for free public distribution as required by state law.

RULE 4 - MEETINGS OF THE COMMISSION**4.01 REGULAR MEETINGS**

Regular meetings shall be held monthly at 4:30 p.m. on the fourth Tuesday of each month unless same shall be a holiday and then meetings shall be held the next business day, or on a date designated by the Commission. Fire Department business shall be considered first on the agenda in all even-numbered years and second on the agenda (following Police business) in all odd-numbered years.

4.02 ADJOURNED REGULAR MEETINGS

The Commission may adjourn any regular or adjourned meeting to a time and place specified in the order of adjournment. When so adjourned, the adjourned meeting is a regular meeting for all purposes.

4.03 SPECIAL MEETINGS

A special meeting may be ordered at any time by the chairman or by any three Commissioners by delivering personally or by mail written notice to each member of the Commission, the Fire Department and represented bargaining unit(s). Notification of said meeting, with agenda items, shall be posted on the official bulletin board not less than twenty-four hours prior to the meeting.

4.04 PLACE OF MEETINGS

All meetings shall be held in a conference room located in the Renton Municipal Building unless the notice of a special meeting or the order of adjournment of a regular or adjourned meeting specifies some other place, or unless the Commission determines at a prior meeting to meet at some other place.

4.05 EMERGENCY MEETINGS

If, by reason of fire, flood, earthquake, or other emergency it shall be unsafe to meet in the place designated, the meetings may be held for the duration of the emergency at such place as is designated by the chairman of the Commission.

4.06 PUBLIC MEETINGS

All meetings of the Commission shall be open and public, and all persons shall be permitted to attend any meetings of the Commission except as otherwise provided in Rule 4.07. These meetings, other than executive sessions, shall be recorded on a tape recorder, then kept according to the time limits of the state law or for one year from the date of the meeting, whichever is longer, and are available for duplication at the expense of the requesting party.

4.07 EXECUTIVE SESSIONS

In accordance with RCW 42.30.110, the Commission may hold executive sessions to consider the employment or dismissal of a firefighter or employee or to hear complaints or charges brought against the officer or employee by another fire officer, person or employee, unless the officer or employee requests a public hearing. The Commission also may exclude witnesses and others as provided in Rule 5.09.

4.08 RULES OF ORDER

Except as otherwise provided herein, Robert's Rules of Order - Newly Revised shall guide the Commission in its proceedings.

4.09 QUORUM

Three members of the Commission shall constitute a quorum, and the concurrence of three members shall be required for any action.

4.10 COMMUNICATIONS

Communications and requests to the Commission insofar as practicable shall be in writing. The substance of each request and the action of the Commission thereon shall be noted in the minutes.

4.11 MINUTES

The secretary-chief examiner or the secretary pro tem shall record in the minutes the time and place of each meeting, the names of the Commissioners present, all official acts of the Commission and the votes of the Commissioners except when the action is unanimous. When requested, a Commissioner's dissent or approval with reasons shall be recorded. The minutes shall be written and presented for correction and approval at the next regular meeting. The minutes or a true copy thereof, certified by the secretary or the secretary pro tem, shall be open to public inspection.

RULE 5 - HEARINGS**5.01 RIGHT TO A HEARING**

- a. Any regular employee who is demoted, suspended or terminated may appeal such action to the Commission.
- b. Any employee who is adversely affected by an alleged violation of Civil Service or City policy may appeal such violation to the Commission.
- c. Any employee who is adversely affected by an action or decision of the secretary-chief examiner or of the Commission may petition for a hearing before the Commission.

5.02 PETITION FOR HEARING

A petition shall be in writing, signed by the petitioner giving the mailing address of the appellant. The notice of appeal shall contain a brief description of the facts giving rise to the appeal and a concise statement of the reason for the appeal. A hearing on the merits may be denied if the petition fails to state specific facts and reasons or if, in the opinion of the Commission, the facts or reasons stated, if true, would not entitle the petitioner to any relief; but such denial shall be without prejudice to the filing of an amended petition if the time for requesting has not expired.

5.03 TIME WITHIN WHICH PETITIONS MUST BE FILED

- a. Unless otherwise provided in these Rules, a petition for hearing before the Commission must be filed within the following time limits:
 - 1. In a discharge or reduction matter, ten (10) business days after mailing or when personally serving or delivering the notice of discharge or reduction.
 - 2. In an appeal from any ruling of the secretary-chief examiner concerning any aspect of an examination, five (5) business days after notice of such ruling or, if no notice of ruling is given, five (5) business days after receipt by the Commission of the report of examination under Rule 8.
 - 3. In all other matters, not later than five (5) business days after the ruling or order complained of.
- b. The secretary-chief examiner or the Commission may extend the time for filing a petition where good cause for the delay is shown and it is shown that other parties are not likely to suffer substantial hardship from a delay.

5.04 HEARING BOARD OR OFFICER

On receipt of a petition the Commission shall determine whether the matter will be heard.

5.05 NOTICE

The Commission or the hearing board shall set the matter for hearing and shall give the petitioner at least five (5) business days' notice in writing of the date and place of such hearing. In discharge or reduction hearings, similar notice shall be given to the appointing authority/chief.

5.06 RIGHTS OF PETITIONER

When a hearing is granted the petitioner shall be entitled to:

- a. Representation by counsel at such hearings.
- b. Testify under oath.
- c. Subpoena witnesses to testify.
- d. Cross-examine all witnesses appearing against the petitioner.
- e. Impeach any witness before the Commission or hearing board.
- f. Present such affidavits, exhibits and other evidence, as the Commission deems pertinent to the inquiry.
- g. Argue the case.

The appointing authority/chief, the secretary-chief examiner, and any other person whom the Commission or hearing board finds to have an interest in the matter shall be entitled to the same privileges. The petitioner shall attend the hearing unless excused by the Commission.

5.07 FAILURE OF PETITIONER TO APPEAR

In all hearings on the petition of an employee, the failure of the petitioning employee to appear in person or by counsel at the time and place set for hearing without good cause being given to the Commission in advance shall be deemed a withdrawal of the petition and consent to the action or ruling from which the appeal was taken.

5.08 EVIDENCE

Hearings shall be informal and need not be conducted according to technical rules relating to evidence and witnesses. Any relevant evidence shall be admitted if it is the sort of evidence on which responsible persons are accustomed to rely in the conduct of serious affairs, regardless of the existence of any common law or statutory rule which might make improper the admission of such evidence over objection in civil actions. The rules of privilege and of official or judicial notice shall be effective to the same extent as in civil actions. Irrelevant and repetitious evidence shall be excluded. Oral evidence shall be taken only under oath or affirmation.

5.09 EXCLUSION OF WITNESSES

The Commission or the hearing board may, at its discretion, exclude witnesses not under examination except the secretary-chief examiner, the petitioner or person to be charged or reduced, the appointing authority/chief, and counsel. When hearing testimony of scandalous or indecent conduct, all persons not having a direct interest in the hearing shall be excluded.

5.10 TESTIMONY OF PETITIONER

In all hearings, the petitioning employee may be allowed to testify and may be cross-examined as to any matter relevant to the hearing.

5.11 BURDEN OF PROOF

In discharge or reduction hearings, the burden of proof shall be on the appointing authority/chief. In all other types of hearings, unless in conflict with state or federal law, the burden of proof shall be on the petitioner.

5.12 FINDINGS AND DECISION

Formal findings of fact are not required. If such hearing is not before the full Commission, written findings shall be submitted to the Commission for its approval. If the Commission declines to accept such findings, it must hold a hearing de nova, after which it may adopt the findings made by the hearing board or make its own findings.

The Commission shall announce its decision as soon as possible after the hearing and enter the same in its minutes.

Unless the decision provides otherwise, it shall be effective immediately. Notice of the decision shall be mailed promptly to the petitioner and to any interested party. Except for the correction of clerical errors, such decision shall be final and conclusive.

5.13 REPORT OF HEARINGS

Hearings will be recorded by a stenographic reporter or recording device.

5.14 TRANSCRIPTS OF HEARINGS

A transcript of the hearing will, upon request, be furnished to the petitioner or appointing authority/chief at the requesting party's expense.

RULE 6 - CLASSIFICATION**6.01 CLASSIFICATION PLAN**

Recommendations for new class specifications and revisions of existing class specifications shall be considered by the Commission at a regular Commission meeting and, if approved, shall be set forth in Rule 20.

Class specifications shall be prepared and maintained by the secretary-chief examiner and the chief for all classes in city fire service. Such specifications or true copies thereof, shall be open to public inspection and available for public distribution. Each specification shall describe the class generally, distinguish it from other classes, and give examples of typical duties assigned to positions in the class. It shall also contain a statement of minimum requirements not otherwise provided in these Rules for applicants for positions in the class. Copies of new or revised class specifications shall be distributed to the Fire Department administration, bargaining unit and incumbent(s).

6.02 REVIEW AND APPEALS

- a. If the appointing authority/chief or any employee is affected by any classification action, he or she may request the Commission and secretary-chief examiner to review such action. The request shall be made in writing within thirty (30) days of notification of the action.
- b. After notification of the results of a review, the employee or appointing authority/chief so affected may appeal therefrom to the Commission. Such appeal shall be made not later than ten (10) business days after date of notification of results of review and shall be made in accordance with Rule 5.

6.03 EFFECT OF CLASSIFICATION CHANGES ON INCUMBENT

- a. Whenever a position is reclassified from one class to a higher class, the incumbent shall not continue in the same position, except temporarily, without gaining eligibility for the new class by examination and receipt of an appointment in accordance with these Rules.
- b. Whenever a position is reclassified from one class to a lower class, the regular incumbent may, with the concurrence of the appointing authority and the Commission, elect to take a voluntary reduction to the lower class or, at the employee's option and with the concurrence of the appointing authority and the Commission, may remain in the reclassified position for a temporary period as limited by the Commission only until transfer can be made to another position in the class in which the employee has regular standing.
- c. Whenever the title of a class is changed without a material change in duties or responsibilities, the incumbent shall have the same status in the retitled class as held in the former class.

Rule 7 - APPLICATIONS AND APPLICANTS

ENTRY LEVEL FIREFIGHTER

7.01 QUALIFICATIONS OF APPLICANTS

In order to apply for examination, at the time of filing application:

- a. An applicant must be a citizen of the United States and able to read and write the English language as specified in RCW 41.
- b. Unless otherwise provided in these Rules, no person will be admitted to an entrance examination for Firefighter who is less than 18 years of age at the time of examination.
- c. An applicant must file a completed application form prescribed by the Commission giving fully, truthfully and accurately all information required. A certification as to the truth and completeness of the information contained in the application and applicant's signature shall be required on each application.
- d. An applicant must have successfully graduated from high school at a state-accredited school or have earned a GED certificate. If veterans' credit is claimed, copies of the appropriate documents must accompany the application.

7.02 FILING TIME FOR APPLICATION

- a. Applications must be received at the office of the Commission not later than 5:00 p.m. on the last day for filing or as posted on the official bulletin board of the Commission.
- b. Applications will be subject to amendment not later than 5:00 p.m. on the last day for filing. The burden of proof of meeting requirements shall lie with the applicant.
- c. In case of any dispute as to the time of filing, the Commission's official time recorded on the application shall be conclusive.
- d. The time for filing applications may be extended or reopened by the secretary-chief examiner as ordered by the Commission and as the needs of the service require, provided notice is immediately posted on the official bulletin board.

7.03 NON-ACCEPTANCE OF APPLICANT

The secretary-chief examiner, subject to the right of any person aggrieved to appeal to the Commission as provided in Rule 5, may refuse to accept an application or to examine an applicant or may withhold or remove the name of any person from the eligibility list who:

- a. Does not meet the requirements set forth in these Rules or in the bulletin announcing the examination;
- b. Is deemed by competent medical authority to be physically or mentally unfit to perform the duties of the position;

- c. Has been convicted of a felony involving moral turpitude;
- d. Has made any materially false statement or who has attempted any deception or fraud in connection with this or any other civil service examination;
- e. Refuses to furnish all information required to complete the application;
- f. Who is knowingly a member of any organization which is included in the official list of subversive organizations, or who is knowingly a member of any organization which, to his knowledge, now advocates the overthrow of the government of the United States or of this state by force or violence or other unlawful means, or who now advocates the support of a foreign government against the United States in the event of hostilities.
- g. Has been discharged from the armed forces under dishonorable conditions.

7.04 NOTICE OF NON-ACCEPTANCE

The person against whom action is taken under Rule 7.03 shall be notified promptly of the reasons. Oral notice at the time of filing the application shall be sufficient except where written notice is requested. Written notice mailed to the address shown on the application shall be sufficient on mailing.

7.05 APPEALS

Any person aggrieved by any ruling of the secretary-chief examiner concerning an examination or the eligibility or disqualification of applicants, or the withholding of name from certification may appeal to the Commission in writing within five (5) business days after notice of such ruling as provided in Rule 5.

7.06 ADMISSION TO EXAMINATION PENDING APPEAL

The secretary-chief examiner may admit to the examination any person whose application was not accepted, pending final disposition of the appeal; the admission will be without prejudice.

7.07 AMENDMENT OF APPLICATIONS

The secretary-chief examiner may permit any applicant, whether or not the application has been accepted, to amend the application or to file an amended application prior to the closing date and time for acceptance of applications.

RULE 8 - COMPETITIVE & PROMOTIONAL EXAMINATIONS**8.01 ORDERING EXAMINATIONS**

The secretary-chief examiner shall order an examination whenever necessary. Such order shall specify the class for which the examination is ordered. The order shall be reported to the Commission and be subject to its review. Examinations for promotion shall be practical in character and shall embrace such subjects as will test the technical, supervisory or managerial qualifications of the applicants for the position involved.

8.02 PERIODIC EXAMINING PROGRAMS

Notwithstanding anything to the contrary in these Rules, a periodic examining program may be ordered and administered by the secretary-chief examiner with the approval of the Commission for both entrance and promotional examinations to establish eligibility lists.

8.03 NOTICE OF EXAMINATION

A written notice of each examination shall be posted and advertised by the secretary-chief examiner.

8.04 WRITTEN NOTICE OF INTENT

To participate in a promotional examination, a letter of intent to take the test must be submitted to the secretary-chief examiner by the date listed on the examination announcement.

8.05 TIME AND PLACE OF EXAMINATIONS

Whenever applicants are required to appear for an examination, the time and place shall be designated in the official bulletin or the applicants shall be notified in person, by mail or by telephone. The secretary-chief examiner, when he/she finds the good of the service requires it, may at his/her discretion, have an examination given in more than one session and/or more than one place, either within or outside the City of Renton.

8.06 POSTPONEMENT OR CANCELATION OF EXAMINATIONS

The administration of an examination or any part thereof may be postponed or cancelled at any time by the examiner. Notice of such postponement or cancellation shall be posted on the official bulletin board, at the place originally set for the examination (if necessary), and mailed or telephoned to the applicants.

8.07 LATE APPLICANTS

Whenever applicants are required to assemble for a test and the examination has started, no applicant will be admitted after the designated time.

8.08 FAILURE TO PASS ENTRANCE EXAMINATION

No person who has failed to pass an entrance examination shall be re-examined for the same class within one year.

8.09 PARTS AND WEIGHTS

Entry level and promotion examinations shall consist of one or more parts to which a raw score, rank order or percentage weight shall be assigned. One or more of the following options shall be utilized in scoring an examination.

- a. A raw score shall be the final indicator of an examination.
- b. A rank order list shall be the final result of an assessment center examination. The order shall be determined by the number of points earned through consensus scoring. Assessors shall have the flexibility to recommend participants for promotion and inclusion on the eligibility list in addition to failing participants as unqualified for promotion.
- c. A percentage weight shall be determined by multiplying the weight assigned to one or more parts of an examination and the sum of the resulting products shall be called the weighted average.

8.10 PASSING GRADES

- a. A final minimum passing score required or the number of candidates deemed eligible shall be determined by the Commission prior to any examination.
- b. Where an examination consists of two or more parts, the Commission may set a minimum score to be required in any part of the examination. Any applicant who fails to attain such minimum score shall be considered as having failed in the entire exam and shall not be entitled to take the balance of the exam. The minimum score required and the part of the exam to which it is applicable shall be stated in the official bulletin or announced at the time of the examination.

8.11 SELECTION PROCESS

The selection process used to screen, rank and select candidates for positions shall be job related for the position and fairly assess the candidates for the qualifications, knowledge, abilities, skills and temperament needed to successfully perform the job.

8.12 EXAMINATION COMPONENTS

Applicants for fire department positions shall be required to participate in a competitive examination for placement on a class eligibility list. Examinations and components may vary for specific positions and shall include one or more of the following:

- a. Written examination to determine skill level, aptitude or reasoning.
- b. Physical skill/agility test to determine fitness level.

- c. Assessment center to evaluate technical, supervisory and/or management skills.
- d. Tactical component to evaluate technical knowledge and ability.
- e. Oral board test to evaluate skill, experience and overall qualifications.

8.13 VETERANS' CREDIT

In all competitive examinations for entrance into the City service, a percentage credit of the final earned average score in such examinations shall be given to all persons passing the examination who have, or who shall have, served in the armed forces of the United States as defined in RCW 41.04.005 and 41.04.010; proof of such service to be filed with the secretary-chief examiner upon initial application.

The percentage for veterans' credit shall be added to the weighted average or final score, except that credit shall not be added unless the weighted average or final score is at least equal to the passing grade determined for the examination.

8.14 PROMOTIONAL EXAMINATIONS/FREQUENCY OF/ADVANCE NOTICE

Promotional examinations (unless otherwise determined by the Commission for good cause) will be given every two years. Promotional examinations shall be open to members of the City of Renton Fire Department (unless otherwise determined by the Commission as set forth in Rule 8.15) who have been employed three (3) consecutive years or more, and who have held their present rank for one (1) year or more subsequent to their regular appointment or would reach eligibility status by May 1 of the year in which the promotional examination is administered and an eligibility list established. Applicants must meet the minimum job requirements as contained in the position classification description. Applicants for lieutenant class must have received journeyman certification from the WSATC, completed all portions of the Acting Lieutenant's Task Evaluation Form, and worked for the RFD for at least three (3) years with at least two (2) years as journeyman. Advance notice of not less than sixty (60) days prior to an impending examination shall be posted to provide sufficient time for test preparation.

8.15 PROMOTIONAL EXAMINATIONS - LIMITATIONS

It shall be determined by the Commission whether a promotional examination shall be limited to personnel within the department or whether such examination shall be open to those outside the department who meet the minimum qualifications established by the Commission and contained in the position description qualifications statement.

8.16 CHIEF-SPECIAL REQUIREMENTS

In testing for the position of chief of the department, it will be the prerogative of the Commission to require a psychological evaluation and a polygraph screening be obtained.

8.17 EFFECTIVE DATE OF LISTS

An entrance eligibility list shall become effective on the date it is approved by the secretary-chief examiner as being accurate, complete and legally prepared (see 10.05). A promotional eligibility list shall become effective on the date of May 1 (see 10.05). The secretary-chief examiner shall submit the eligibility list to the Commission for certification at the next regular Commission meeting.

8.18 SERVICE CREDIT

Service credit in any promotional examination shall be given for up to twenty (20) years of service with a maximum of ten (10) points computed in the following manner:

1 to 3 years of service	- no points
next 4 years	- 1/4 point per year for years 4 through 7
next 8 years	- 1/2 point per year for years 8 through 15
next 5 years	- 1 point per year for years 16 through 20

No points will be given for a fractional part of a year. One who attains the required minimum grade on a promotional exam will be entitled to the applicable points computed as of the close of filing. Service points will not be awarded to any person not attaining the minimum grade.

8.19 INSPECTION OF RATING STANDARDS AND SCORING KEY

- a. Applicants shall be allowed a period of five (5) business days following each segment of an examination to review any rating standards and scoring keys by which the applicant has been rated.
- b. Applicants shall be allowed a period of five (5) business days following the posting of an eligibility list in which each may request the opportunity, in writing, to inspect the scored answer sheets, evaluator/assessor comments or any rating standards and scoring keys by which the applicant has been rated during any part of the examination.

8.20 PROMOTIONAL EXAMINATION APPEAL OR PROTEST

The accuracy of an answer is always based on those sources identified in the test. It is not a valid basis for challenging the accuracy of an answer to prove that other sources support a different answer to the test question. Appeals will be rejected if: 1) Proof that other sources may support a different answer; 2) When the correct answer remains the best available answer; or 3) The reference page number is incorrect. Appeals will be upheld if: 1) The keyed answer is clearly incorrect; 2) Other answers are equally correct; or 3) A typographical or other error in the question significantly alters the meaning of the question and invalidates the correct answer.

- a. Any examination protest against the scope, content, or practicality of any part of an examination or as described in 8.19, shall be filed in writing with the examiner within five (5) business days immediately following the five (5) business day inspection period.
- b. If the applicant believes an error has been made in the application of the written test, scoring key, or in the rating given on any part of the examination, or that any other error has been made, the applicant may make a protest in writing to the examiner

within five (5) business days immediately following the five (5) business day inspection period stating specifically where it is believed errors have been made. Each protest shall give specific authoritative references or opinions of recognized experts where such exist.

- c. Any protest against scoring or any allegation of clerical error in the final results of an examination must be filed in writing within five (5) business days after posting of the results.
- d. All protests filed in accordance with this rule shall be considered by the examiner and any proper corrections made. If authorized corrections are applicable to other examinees, the corrections shall be made on all examination papers affected.

8.21 REPORT OF EXAMINATION

After the expiration of the five (5) business day inspection period as provided in Rule 8.19 and the appeal or protest period as provided in Rule 8.20, the secretary-chief examiner shall submit a report on each examination to the Commission, Fire Administration and bargaining unit(s).

8.22 APPEAL TO COMMISSION

Any person aggrieved may appeal to the Commission from the ruling of the secretary-chief examiner pursuant to Rule 5 within five (5) business days after notice of such ruling. No correction made by the secretary-chief examiner under Rule 8.20 or by the Commission shall affect any appointment made from a certification made prior to the correction.

8.23 CORRECTION OF CLERICAL ERRORS

The secretary-chief examiner upon discovery may correct a clerical error at any time during the life of the eligibility list, but no such correction shall affect an appointment made from a certification made prior to the correction.

8.24 PERMANENT RECORD OF EXAMINATION

The Commission shall preserve the following as a permanent record of each examination:

- a. The report of examination (as provided in Rule 8.21) containing a summary or narrative statement of the examination showing the method of testing used or the general nature of the examination, the weights of the various parts, the time and place each part was given, the minimum scores required, if any, all protests in connection with the examination and disposition of such protests, and the names of the examiners.
- b. Names and scores of all applicants in each part of the examination shall be retained in official Commission files.

8.25 OTHER RECORDS OF EXAMINATION

All original records prepared or received in connection with any examination shall be retained for the duration of the list. Such records may then be destroyed if no longer required for administrative purposes.

8.26 EXAMINATIONS TO BE IMPARTIAL

All examinations shall be fair and impartial. So far as practicable, written examinations shall be conducted so that the identity of applicants will not be known to the examiners or other persons scoring the answers. So far as practicable, different parts of an examination shall be scored separately without the examiners or other persons scoring a part of the examination knowing the applicants' scores in the other parts of the examination. No person shall reveal before the completion of an examination any information about such examination except in the official bulletin or by announcement to all applicants or candidates equally.

RULE 9 - MEDICAL STANDARDS FOR EMPLOYMENT

9.01 MEDICAL STANDARDS

The Civil Service Commission shall validate and adopt basic medical standards required for entrance into the fire service.

9.02 MEETING THE MEDICAL STANDARDS

The secretary-chief examiner shall require each candidate to meet the general medical standards of the city as specified in these Rules:

- a. Firefighters must meet medical standards as set forth by the Renton Civil Service Commission as described in the minimum medical and health standards, and receive a favorable evaluation from a licensed psychologist.
- b. Other employees under the jurisdiction of the Civil Service Commission must pass those tests necessary to determine that the applicant is physically and mentally capable of discharging the duties of the position.

9.03 REQUIREMENT

- a. Medical/physical examination administered by a licensed physician/surgeon as set forth under provisions of RCW 18.71.
 - 1. Causes for rejection will be consistent with recommendations outlined in these standards.
- b. Each applicant to the examining physician will supply a medical history. The medical history will include information on past and present diseases, injuries and operations.
- c. Applicant must possess normal vision. They must demonstrate normal visual functions and visual acuity not less than 20/100 vision in each eye without correction and corrected to 20/20 in the better eye and not less than 20/30 in the lesser eye. Normal color vision must be possessed.
- d. Applicant must possess normal hearing. Hearing acuity level is to be determined by audiometric hearing test.

9.04 PROCEDURE

- a. Completion of the Report of Medical History by the applicant.
- b. The physical examination will be conducted by a licensed physician/surgeon after a review of the Report of Medical History completed by the applicant.

- c. The physician shall record his findings on the Report of Medical History and shall note any past or present defects, diseases, injuries, operations or conditions of an abnormal or unusual nature and indicate whether applicant is or is not qualified.
- d. The Civil Service Commission shall place physical examination reports in permanent files.

9.05 FAILURE TO MEET MEDICAL STANDARDS

Candidates who fail to meet the applicable medical standards shall not be employed.

A candidate who has failed to meet the applicable medical standards may present new or additional medical evidence within ten (10) business days after notification of disqualification relating to the case in order to be reconsidered for appointment within the duration of the eligibility list. The evidence and request for reconsideration must be in writing; the burden of proof shall be on the candidate; the Commission shall consider the evidence and render a decision. The decision shall be final.

9.06 SPECIAL MEDICAL RE-EVALUATION

With the approval of the Commission, the secretary-chief examiner or the appointing authority/chief may require a medical or psychological re-evaluation of the employee at any time. Such re-evaluation shall be concerned only with the medical conditions related to the satisfactory performance of the required duties or with protecting the health, safety and welfare of the employee or the public.

RULE 10 - ELIGIBILITY LISTS

10.01 ELIGIBILITY LISTS CREATED

The secretary-chief examiner shall promulgate eligibility lists resulting from examinations as provided in Rule 8.

10.02 ORDER OF NAMES ON ELIGIBILITY LISTS

The names of applicants who pass an examination shall be entered upon the eligibility list for the class in order of their grades, including veterans' credit or other applicable credits, and without preference as to priority of time of examination or as provided in 10.03.

10.03 TIE SCORES – ENTRANCE AND PROMOTIONAL

Whenever two or more applicants in an examination have the same final grade, priority shall be then determined by highest grade on the most heavily weighted part of the examination. If a tie still exists priority shall be determined by the highest grade on the next most heavily weighted part, and so on for as many parts as the examination contains. If this provision does not apply then the eligibles will be treated as equal by the appointing authority when a vacancy exists.

10.04 DISCLOSURE OF NAMES OF PERSONS ON ELIGIBILITY LISTS

The eligibility list, including the names of all those who passed the examination, shall be open to public inspection.

10.05 DURATION OF ELIGIBILITY LISTS

An entrance eligibility list shall be in effect for two years from date of approval. Before the expiration of the eligibility list, the Commission may extend the period of eligibility for all eligibles that are available for employment. An extended eligibility list shall be terminated automatically upon approval of an eligibility list from a new examination for the class.

Promotional eligibility lists shall become effective on the date of May 1 and will be in effect for two years. A promotional eligibility list may not be extended.

10.06 REJECTION OF CANDIDATE - DROPPED FROM LIST

The name of any person may be removed from an entrance eligibility list for any of the reasons in Rule 7.03, or the following:

- a. Is addicted to the use of intoxicating liquors or narcotics or habit-forming drugs;
- b. Is addicted to gambling;
- c. Refuses to execute any oath as prescribed by law;

- d. Has assisted in preparing, conducting or scoring any examination for which the candidate applies or who has in any other manner secured confidential information concerning such examination which might give an unfair advantage over other applicants in the examination;
- e. Fails to be present for or fails to pass the medical examination prescribed by the Commission (see Rule 9);
- f. Fails to pass the background investigation as evidenced by information received from past/present employers, references, etc.; or
- g. Fails to receive a favorable psychological evaluation prescribed by a licensed psychologist appointed by the Commission.

10.07 EFFECT OF APPEALS

No appeal shall affect the eligibility list or any appointment made from a certification during the pendency of the appeal. When the appeal is terminated, the secretary-chief examiner shall add the name of the appellant to the eligibility list at the appropriate place if it has been determined the appellant is entitled to be on the eligibility list.

10.08 REMOVAL OF NAMES FROM LISTS

Entrance: The secretary/chief examiner may remove the name of any eligible from an entrance list if the eligible fails to respond to a notice of employment, declines an appointment without reason satisfactory to the secretary/chief examiner, cannot be located, or fails to pass a portion of the selection process not scored or used to establish rank on a list, such as the medical examination (rule 9.03) or background investigation. In the case of such removal, the secretary/chief examiner shall notify the eligible in writing at his/her last known address.

Promotional: The names of eligibles on promotional lists that resign from the City shall automatically be removed from promotional lists.

RULE 11 - CERTIFICATION AND APPOINTMENT

11.01 CERTIFICATION FROM ELIGIBILITY LIST

Whenever an appointing authority wishes to fill a vacancy, a request for certification shall be submitted to the secretary-chief examiner. Upon receipt of the request, the secretary-chief examiner shall certify to the appointing authority/chief, the names of five persons standing highest on an entrance eligibility list. If two or more vacancies are to be filled an additional name shall be certified for each additional position.

In a promotional appointment the names of the three persons highest on the appropriate eligibility list shall be certified upon request. If two or more vacancies are to be filled, an additional name shall be certified for each additional position. If the appointing authority selects an individual who is not the highest of the names submitted, the appointing authority shall forward to the Commission a written communication explaining why the individual was by-passed.

In the absence of an appropriate eligibility list, the appointing authority may authorize a provisional appointment for a period not to exceed four months. No person shall receive more than one provisional appointment or serve more than four months as a provisional appointee in any fiscal year.

When a vacancy exists for chief, the mayor shall act as the appointing authority. The mayor shall select from the three candidates recommended as a result of a competitive selection process.

11.02 PRIORITY OF LISTS

When a reinstatement list exists for the class in which a vacancy exists, it shall be exhausted before any certification can be made from an eligibility list.

11.03 WITHHOLDING NAMES FROM CERTIFICATION OR REMOVING NAMES FROM ELIGIBILITY LISTS

The names of a candidate may be withheld from certification or removed from an eligibility list when the candidate:

- a. Expresses unwillingness or inability to accept appointment or refuses offer of an appointment without adequate explanation;
- b. Fails to respond within ten (10) business days after the mailing of written inquiry regarding availability for regular employment or request to appear for interview regarding such employment;
- c. Fails to be present for duty at the time agreed upon after having accepted an appointment;
- d. Cannot be reached in time for appointment when immediate temporary employment is required, but this shall apply to only such immediate temporary employment;
- d. Fails to present a license, registration, certificate, or any credential required; the name of any such candidate may be restored for certification when the particular requirement has been met

- f. Fails to maintain a record of current address with the Commission as evidenced by the return of a properly addressed, unclaimed letter, or other evidence;
- g. Is not qualified to perform the duties of the class based upon a finding by the Commission;
- h. Willfully violates any of the provisions of these Rules or any applicable law;
- i. Is not qualified for any reason enumerated in Rules 7.03 and 9.02.

11.04 RESTORATION TO CERTIFICATION

When the name of a person has been withheld from an eligibility list or from certification or has been removed from the list, it may be restored to its original position by the secretary-chief examiner or by the Commission on successful appeal by the appellant taken within ten business days after notice of the decision, but only under the following circumstances:

- a. Where the withholding or removal was because the person accepted a regular appointment with the city and where the person is still in city service; or where the person has been separated therefrom without fault or delinquency on the employee's part and the good of the city and justice to the employee requires that the employee be restored to the eligibility list to be eligible for certification;
- b. Where the withholding or removal was because of the unwillingness or inability of the employee to accept an appointment, or failure to respond to inquiry as to availability to appear for interview, or to present a good and valid reason for such unwillingness, inability or failure, and where the employee now certifies to the secretary-chief examiner a willingness to accept appointment;
- c. Where the withholding or removal was for a reason stated in Rules 7.03 and 9.02 and such reason no longer exists.

11.05 EFFECT OF REMOVAL, WITHHOLDING OR RESTORATION

The removal or withholding of a name shall automatically advance all of the names below it on the eligibility list.

Should any person whose name is removed or withheld file an appeal of this removal or withholding within the stipulated time allowed for filing of such appeals, no regular appointment shall be made from those names under the name removed pending the disposition of the appeal, unless the appeal cannot be concluded within sixty days.

The acceptance or refusal by a candidate of temporary appointment shall not affect his/her certification from the eligibility list for regular employment.

11.06 APPOINTMENT OF CANDIDATES

In filling vacancies by appointment from an eligibility list, the person(s) certified in accordance with these Rules shall be appointed, except as noted in Rule 10.07

RULE 12 - PROBATION**12.01 PROBATIONARY PERIOD**

After each regular appointment from an eligibility list, an employee shall serve a complete period of probation before appointment or promotion is complete.

Employees who are reduced in rank are not required to serve an additional period of probation if they completed probation in their previous position.

12.02 LENGTH OF PROBATIONARY PERIOD

The period of probation for entry-level classifications shall be one year of employment. Time loss for injury or illness during the probationary period shall be added to the probationary period once the employee returns to duty.

The probationary period for entry-level classifications may be extended with the Commission's approval. The Fire Chief shall provide the Commission with a written justification stating the specific reasons for the extension prior to consideration by the Commission. The extension shall not exceed 90 days.

The probationary period for promotional positions shall be nine months. If an officer on probation were off on sick leave in excess of 168 hours or more, the Chief shall have the authority to request an extension of probation from the Commission.

During the probationary period the appointing authority may terminate the employment of the person certified, or returns that person to lower classification if the appointing authority deems the employee unfit or unsatisfactory for service in the position.

12.03 INTERRUPTION OF PROBATIONARY PERIOD

Whenever the probationary period of an employee in a position in one class is interrupted due to appointment to a position in another class and the employee subsequently returns to a position in the first class during the second probationary period, the probationary period for the first appointment shall continue until completed.

12.04 DISCIPLINARY PROBATION

Disciplinary probation is an aid to the Commission when called upon to assist in the review at a disciplinary action taken upon an employee who does not fulfill their duties or responsibilities in the classification the employee holds. The period of disciplinary probation is at the discretion of the Commission. The time length of the disciplinary probation shall not exceed one year. During the period of disciplinary probation the employee is not eligible to participate in promotional examinations.

RULE 13 - TEMPORARY AND PROVISIONAL APPOINTMENTS**13.01 TEMPORARY APPOINTMENTS**

A person may be employed in a temporary position only for the duration of the temporary work. If the position is made permanent, it must be filled by appointment on a regular basis in accordance with Rule 11. A person given a temporary appointment may not be transferred or changed to any other position except on a temporary basis and shall never attain regular status from such appointment. Temporary employment may continue only so long as the facts exist justifying a temporary appointment. No person shall receive more than one temporary appointment or serve more than four months as a temporary appointee in any one fiscal year.

13.02 PROVISIONAL APPOINTMENTS

A provisional appointment without examination may be made when there is no appropriate eligibility list or persons on the list are not available or cannot be contacted and when the appointing authority/chief certifies and supports with adequate facts that an emergency exists. The Commission must approve the provisional appointment and the provisional appointee must meet the requirements and file application for examination for the class. The appointment may continue only until such time as the position can be filled from an eligibility list. No person shall receive more than one provisional appointment or serve more than four months as a provisional appointee in any one fiscal year.

An emergency exists when:

- a. Life, health or property is in jeopardy; or
- b. The immediate employment of a currently available applicant is imperative because of extreme recruitment difficulties; or
- c. The work program of the department will be impaired if the position is left vacant and the work cannot be deferred or reassigned; or
- d. A vacancy will result in failure to perform legally required functions or to meet deadlines imposed by law.

RULE 14 - ASSIGNMENTS, TRANSFERS AND REASSIGNMENTS

14.01 ASSIGNMENTS

The assignment of a candidate to a position, or of an employee from one position to another position within the class and department for which the individual has been certified by the secretary-chief examiner pursuant to these Rules, is a matter of departmental administration, except as provided in Rule 17.

RULE 15 - LEAVES OF ABSENCE**15.01 LEAVES OF ABSENCE WITHOUT PAY**

Leaves of absence without pay from regular duties for the purpose of recovering from a prolonged illness, an injury, pregnancy, child bearing, education or training, or assisting another public agency, may be granted by the appointing authority/chief for one year when such leave is in the best interest of the city.

15.02 MILITARY LEAVES OF ABSENCE

Military leaves of absence shall be granted by the appointing authority/chief in accordance with provisions of the laws of the State of Washington.

15.03 FAMILY AND MEDICAL LEAVES OF ABSENCE

It shall be the policy of the Commission to adhere to Federal and State statutes and City policy, which provide for family and medical leave (FMLA).

15.04 EXPIRATION OR TERMINATION OF LEAVES OF ABSENCE

The appointing authority/chief may terminate any leave of absence by written notice to the employee concerned whenever the conditions or reasons justifying the leave no longer exist, unless, upon appeal of the employee to the Commission, it is found that the termination is not justified. Upon termination or expiration of leave, the employee shall return to duty. The employee shall be returned to the same class of position as occupied when the leave of absence was granted. An employee who fails to return to duty upon termination or expiration of leave shall be considered as absent without leave and subject to disciplinary action. Disciplinary action may not be taken by the appointing authority/chief prior to a Commission decision if an appeal has been filed.

15.05 REPORTS OF LEAVES OF ABSENCE

All leaves of absence granted shall be reported to the Commission promptly and in writing.

RULE 16 - DISCHARGE, DEMOTION, SUSPENSION, OTHER DISCIPLINARY ACTIONS AND RESIGNATIONS**16.01 CAUSES FOR DISCHARGE, DEMOTION, SUSPENSION, AND OTHER DISCIPLINARY ACTIONS**

A regular employee may be discharged from city service or demoted or deprived of vacation or other privileges or suspended without pay only after notification in writing of the reasons for such action for any of the following reasons:

- a. Incompetency, inefficiency or inattention to or dereliction of duty.
- b. Dishonesty, intemperance, insubordination, discourteous treatment of the public or a fellow employee, or any other act of omission or commission tending to injure the public service, or any other willful failure on the part of the employee to conduct himself properly; or any willful violation of the provisions of these Rules and Regulations.
- c. Physical or emotional unfitness for the position which the employee holds.
- d. Use of intoxicating liquors, narcotics, or any other habit-forming drug or liquid or preparation to such an extent that the use thereof interferes with the efficiency or physical fitness of the employee, or which precludes the employee from performing properly the functions and duties of his position under Civil Service.
- e. Conviction of a felony or a misdemeanor involving moral turpitude.
- f. Directly or indirectly receiving or soliciting political contribution or campaigning for any party or municipal political purpose while on duty or in uniform.
- g. Use of fire equipment for personal business or pleasure.

16.02 CONDITIONS OF DISCHARGE, DEMOTION, SUSPENSION AND OTHER DISCIPLINARY ACTIONS.

A regular employee may be discharged from city service or demoted, or suspended without pay, or deprived of vacation or other privileges only after notification in writing of the reasons for such action. Such notice shall state the specific grounds and the particular facts upon which the disciplinary action is based, and the employee shall be allowed ten (10) business days from the date of service of the notice in which to reply in writing, and request a hearing before the Commission. Such notice of disciplinary action shall state the time allowed for answer and for requesting a hearing before the Commission. A copy of the notice and a copy of the reply, if any, must be filed in duplicate with the Commission. The appointing authority/chief shall submit evidence to the Commission showing the employee has been served with the notice of disciplinary action, either personally or by certified or registered mail, addressed to his last known address and the date of such service.

16.03 PREDISCIPLINARY HEARING

The appointing authority shall provide and arrange for a predisciplinary hearing prior to demotion, suspension, or discharge of a subordinate.

16.04 HEARING ON REASONS FOR DISCIPLINARY ACTION

If the regular employee is to be discharged, demoted, suspended or otherwise disciplined pursuant to Rules 16.02 the Commission shall proceed in accordance with Rule 5. A public hearing pursuant to Rule 5 shall be held by the Commission or by the hearing Board, whenever a timely request for a hearing has been filed.

16.05 CRIMINAL ACTS

Where the facts alleged in the notice of disciplinary action constitute a crime and the employee has requested a hearing under Rule 16.03 within the time allowed in Rule 5, the employee may at any time, up to one day before the date of the hearing, request a continuance of the civil service hearing for a reasonable period to determine whether a criminal charge will be filed or until after termination of the criminal case.

16.06 DECISION

After receiving evidence presented in hearings on disciplinary actions:

- a. The Commission may affirm the disciplinary action;
- b. If the Commission finds the disciplinary action was made for political, religious or racial reasons, or not in good faith for cause, or the reasons are otherwise not sufficient to justify such action, the Commission shall order immediate reinstatement of the employee without any loss of pay;
- c. The Commission, in lieu of affirming the disciplinary action, may modify but not increase the severity of the disciplinary action by directing a suspension without pay for a given period, and a subsequent restoration to duty or a demotion in classification or pay or other administrative action as deemed necessary.

The finding of the Commission shall be certified in writing to the appointing authority/chief and shall be enforced by said officials.

16.07 PROBATIONARY PERIOD FOLLOWING FIRST APPOINTMENT

The chief may discharge an employee who has not yet completed his first probationary period in accordance with Rule 16.08 with the concurrence of the Commission. The action requires a written notice to the employee and a copy to the Commission specifying the grounds and the particular facts on which the discharge is based.

16.08 PROBATIONARY PERIOD FOLLOWING SECOND APPOINTMENT

A regular status employee, who is promoted and is serving a period of probation as a result of the promotion, shall have the right to a hearing before the Commission if discharged. A regular status employee may be demoted with no hearing rights before the Commission to a position in the class from which the employee was promoted. If no vacancy exists in the classification most recently held, a vacancy may be created either by layoff or reduction.

16.09 CONSENT OF COMMISSION

In the case of a probationary employee, the consent of the Commission must be secured for a discharge or demotion under Rule 16.07 and/or 16.08. The Commission shall consent if it believes the grounds and facts alleged, if true, justify the discharge or demotion of a probationer and that no fraud or discrimination because of political or religious opinions, racial extraction, or union affiliation exists.

If the Commission has consented prior to the filing of an answer by the employee, and the answer alleges fraud or discrimination as above stated and the employee requests a hearing, the Commission shall immediately set aside its consent. The hearing shall be limited to the question of fraud or discrimination. After such hearing, the Commission may consent to the discharge or demotion or may order the employee reinstated and, unless said order otherwise provides, it shall be effective as of the date of the discharge or demotion.

No consent need be secured for the discharge or demotion of a temporary employee.

16.10 TIME FOR DISCHARGE OF PROBATIONER

To be effective, the written notice of discharge or demotion of a probationary employee must be served and become effective before midnight of the last day of the probationary period. The consent of the Commission must also be requested by the appointing authority/chief within such time, but the fact that the action of the Commission is delayed by reasons of a request for hearing or otherwise until after the expiration of the probationary period shall not invalidate the discharge or demotion.

16.11 VOLUNTARY REDUCTION IN RANK

A regular employee may request to the appointing authority for a voluntary reduction to a position in a lower rank. The request shall be forwarded by the appointing authority to the Civil Service Commission for approval.

When a voluntary reduction in rank is granted, the incumbent shall waive all rights to reinstatement in the higher rank. The incumbent may make application and compete in the next open promotional examination for placement on the list for the previous position. The rate of pay will be adjusted to reflect the rate for the lesser position.

16.12 RESIGNATIONS

Resignations shall be in writing and shall be directed to the appointing authority/chief. A resignation shall be effective on the date designated and, if no date is designated, it shall be effective immediately. A resignation, once it has become effective or has been accepted by the appointing authority/chief, may be withdrawn only with the consent of the appointing authority/chief and the Commission.

A resignation claimed to have been obtained by duress or fraud may be treated by the Commission as a notice of discharge, provided the employee notified the Commission that such resignation was not voluntary and demands a hearing within ten (10) business days after the filing with the secretary-chief examiner of a report showing such resignation.

16.13 CHARGES FILED BY A CITIZEN

When complaints or allegations of misconduct are forwarded to the Civil Service Commission against the department or any member in the classified civil service, the Commission shall refer such complaint or allegation to the Chief of the department. All complaints against the agency or its employees will be investigated. Civil Service Rules and Regulations, Department Operating Procedures, and the Agreement between the City of Renton and the Renton Firefighters' Local 864 govern the investigation and resolution process.

RULE 17 - LAYOFFS AND REINSTATEMENT REGISTER**17.01 LAYOFFS**

The chief may lay off or reduce an employee when necessary due to the lack of funds, lack of work, or abolishment of the position.

17.02 EMPLOYMENT STATUS AND ORDER OF LAYOFF

Whenever it becomes absolutely necessary through lack of finances or for any other reasonable and just cause to reduce the number of employees of this unit, such reductions shall be carried out in the following order:

1. Temporary appointees
 - a. civilian personnel
 - b. commissioned officers
2. Probationers (first appointment)
 - a. civilian personnel
 - b. commissioned officers
3. Regular Employees in order of length of service; the one with the least service being laid off first.

17.03 REDUCTION IN LIEU OF LAYOFF

At the time of any layoff, certified employees shall be given an opportunity to accept reduction to the next lower class in the department; provided, that any employee so reduced shall be entitled to credit for any previous regular service in the lower class and to any other service credit.

17.04 TRANSFER IN LIEU OF LAYOFF

Transfer in lieu of layoff may be made to a different position within the department upon showing that the transferee is capable of satisfactorily performing the duties of the position and that a certified employee or probationer is not displaced.

17.05 REINSTATEMENT LIST

The names of persons laid off or reduced in accordance with these Rules shall be entered upon a reinstatement list in inverse order of layoff. Lists from different times for the same class of position shall be combined into a single list. The chief shall use such list when a vacancy arises in the same or lower class of position before certification is made from an eligibility list. When a vacancy occurs, the chief shall appoint the person highest on the reinstatement list who is available who was laid off from a position in the department.

After six (6) months in a laid-off status a physical examination is a prerequisite for re-employment. A reinstated employee shall serve a period of probation as defined in 12.02 if the employee has been laid off for a period of two and one-half years or more.

RULE 18 - REPORTS REQUIRED

18.01 REPORTS FROM THE APPOINTING AUTHORITY/CHIEF

The appointing authority/chief shall report immediately to the secretary-chief examiner in detail the following:

- a. Appointment
- b. Suspension
- c. Separation
- d. Reinstatement
- e. Layoff
- f. Demotion
- g. Reduction
- h. Refusal or failure to accept an appointment on the part of a candidate certified for appointment

18.02 OTHER REPORTS

The secretary-chief examiner may require such other information as necessary for the proper administration of the Civil Service system.

RULE 19 - PERFORMANCE EVALUATION**19.01 PERFORMANCE EVALUATION**

The chief shall evaluate the comparative efficiency and performance of each employee during the employee's probation period following an appointment or a promotion in relation to standards for efficient performance of the work. The chief shall maintain a file of the evaluations and make them available for inspection by the secretary-chief examiner or the Commission when requested, and make the file available for examination by the employee when reasonably requested.

RULE 20 - CLASS SPECIFICATIONS FOR THE UNIFORMED FIRE SERVICE

As prescribed in Rule 6 - Classifications of all fully paid uniformed and non-uniformed employees of the Renton Fire Department shall be established on the basis of duties performed, level of responsibility, authority assigned, and qualifications required. Medical and physical requirements for all classes in the uniformed fire service shall be as prescribed in Rule 9.

- 20.01 FIREFIGHTER
- 20.02 FIRE LIEUTENANT
- 20.03 FIRE CAPTAIN
- 20.04 FIRE BATTALION CHIEF
- 20.05 DEPUTY FIRE CHIEF
- 20.06 FIRE CHIEF
- 20.07 ASSISTANT FIRE MARSHAL
- 20.08 FIRE PLANS REVIEWER/INSPECTOR
- 20.09 HAZARDOUS MATERIALS SPECIALIST
- 20.10 FIRE INSPECTOR
- 20.11 ADMINISTRATIVE SECRETARY
- 20.12 OFFICE ASSISTANT
- 20.13 DATA BASE SYSTEMS TECHNICIAN
- 20.14 SECRETARY I

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